

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71149 of 2018

Arising Out of PS. Case No.-105 Year-2018 Thana- MANIHARI District- Katihar

Md. Afjal son of Md. Safique, resident of Village- Guagachhi Muslim Tola,
Police Station- Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Md. Ashlam Ansari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-12-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Manihari P.S. Case No.
105/2018, instituted for offences under Sections 376, 323, 504 and
506/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
informant and her parents wanted to marry the informant with this
petitioner for which they were pressing hard. On 15.02.2018
family members of informant went to the house of petitioner for
negotiation of marriage. The petitioner refused the proposal then
they created an awkward scene and also scuffled with the father of
petitioner for which father of petitioner had lodged Complaint
Case No. 302/2018. (Photo-copy of aforesaid complaint case has
been enclosed as Annexure-2). Thereafter the instant case has been
filed by the informant as a counter blast making allegation that on



04.02.2018 while the informant had gone to maize field for attending call of nature, the petitioner caught her from behind and committed rape with her. It is further alleged that on the next day, i.e. 05.02.2018, father of informant along with others went to the house of petitioner then father of informant and others were assaulted by petitioner and other family members.

Statement of victim girl has been recorded under Section 164 Cr.P.C. Photo copy of aforesaid statement is annexed as Annexure-4. The victim girl has levelled general and omnibus allegation against the petitioner.

Petitioner is in custody since 11.08.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Manihari P.S. Case No. 105/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

rakhi/-

U		T	
---	--	---	--

